

MINUTES OF ADJOURNED REGULAR MEETINGS OF
THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY
OF THE CITY OF CHULA VISTA

September 10, 2002

6:00 p.m.

Adjourned Regular Meetings of the City Council and the Redevelopment Agency of the City of Chula Vista were called to order at 6:55 p.m. in the Council Chambers, located in the Public Services Building, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

PRESENT: Agency/Councilmembers: Davis, Padilla, Rindone, Salas, and
Chair/Mayor Horton

ABSENT: Agency/Councilmembers: None

ALSO PRESENT: Executive Director/City Manager Rowlands, Agency/City Attorney Kaheny, and City Clerk Bigelow

CONSENT CALENDAR

1. APPROVAL OF MINUTES – August 6, 2002, August 20, 2002, August 27, 2002
2. ORDINANCE NO. 2871, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA EXTENDING FOR ONE YEAR INTERIM ORDINANCE NO. 2836-A PROHIBITING THE ESTABLISHMENT OR EXPANSION OF OUTDOOR STORAGE USES AND TOLLING THE OPERATION OF EXISTING OUTDOOR STORAGES USES WITHIN THE REDEVELOPMENT PROJECT AREAS

On August 21, 2001, the Council adopted Urgency Ordinance No. 2836-B, extending for one year Urgency Ordinance No. 2836-A, prohibiting the establishment or expansion of outdoor storage uses and tolling the operation of existing outdoor storage uses within the redevelopment project areas. Pursuant to Municipal Code Section 19.12.130, the ordinance was adopted on an urgency basis and took effect immediately upon passage to protect the public safety, health, and welfare. Adoption of this urgency ordinance will extend urgency ordinance 2836-A for one additional year.

Staff recommendation: Council place the ordinance on second reading for adoption.

ACTION: Agency/Councilmember Davis moved to approve staff recommendations and offered the Consent Calendar, Item #1 and #2, headings read, texts waived. The motion carried 5-0.

ORAL COMMUNICATIONS

There were none.

ACTION ITEMS

3. COUNCIL RESOLUTION NO. 2002-365 AND AGENCY RESOLUTION NO. 1794, RESOLUTION OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING AN EXCLUSIVE NEGOTIATION AGREEMENT WITH BARONE-GALASSO AND ASSOCIATES AND THE OLSON COMPANY FOR DEVELOPMENT OF THE "E" STREET TRANSIT-ORIENTED-DEVELOPMENT (TOD) PROJECT PROPOSAL LOCATED AT AND ADJACENT TO 707 "F" STREET (OLD CITY CORPORATION YARD SITE), DEEMING WAIVED CERTAIN OWNER PARTICIPATION RIGHTS AND DIRECTING STAFF AND DEVELOPER TO WORK WITH DESIGNATED PROSPECTIVE OWNER-PARTICIPANT

Redevelopment Agency staff have been in discussions with several prominent urban development entities during the past year regarding the potential redevelopment of properties located around the Bayfront – E Street Trolley Station and the City's vacant old corporation yard property (Exhibit A). An initial concept plan has been drafted by Barone-Galasso and Associates and the Olson Company to develop a transit-oriented project on the super block bounded by the trolley line, F Street, Woodlawn Avenue and E Street. The proposal includes approximately 350 for-sale and rental residential units, 40,000 square feet of commercial development, and a new park and ride parking structure. (Community Development Director)

Redevelopment Manager Estes presented the proposed "E" Street Transit-Oriented Development project and exclusive negotiation agreement between the City and Barone-Galasso & Associates, and the Olson Company.

Michael Galasso presented the Company's background, conceptual site plan and urban images, with the goal of encouraging pedestrian-friendly architecture.

ACTION: Agency/Councilmember Davis moved to approve staff recommendation and offered Council Resolution No. 2002-365 and Agency Resolution No. 1794, heading read, text waived. The motion carried 5-0.

PUBLIC HEARINGS

This item was taken out of order and discussed prior to Item #3.

4. JOINT PUBLIC HEARING TO CONSIDER THE FOURTH AMENDMENT TO THE SOUTHWEST REDEVELOPMENT PROJECT

The Southwest Redevelopment Plan was adopted on November 27, 1990 in order to improve deteriorated properties in the areas along Main Street, south Broadway, and south Third Avenue. Since its adoption, the Redevelopment Plan has permitted the use of eminent domain authority to acquire property within the Southwest Redevelopment Project Area. Pursuant to the California Community Redevelopment Law and the Redevelopment Plan, the Agency's eminent domain authority is restricted to an initial 12-year time period following the effective date of the ordinance adopting the Redevelopment Plan. The Redevelopment Plan's eminent domain authority is scheduled to expire on November 27, 2002. (Community development Director)

PUBLIC HEARINGS (Continued)

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and at the time specified in the notice.

Redevelopment Manager Estes presented the proposed amendment, benefits of eminent domain, and the results of meetings with the community.

Dennis Torres spoke on behalf of his grandparents. He asked why eminent domain should remain on Arizona Street, where he owns property. He also questioned what the immediate or future plans are for redevelopment of the area. Chair/Mayor Horton replied that the area is zoned industrial/commercial and will remain as such, unless it is rezoned.

David Richardson, a long-time property owner on Walnut Street, stated that eminent domain places a limited view on properties and provides owners with little incentive to improve their homes. He stated that the threat of eminent domain is a constant cloud that hangs over the affected residents.

Steve Palma dispelled community concerns regarding eminent domain on Jacqua Street (formerly known as Paula Gardens), stating that it is a residential street and not subject to eminent domain, and he would therefore not support eminent domain as it applies to Jacqua Street.

Alejandro Arellano Jr., representing his mother who resides on Jacqua Street, submitted a petition requesting that Council rezone the area to residential.

Phyllis Stovall, an Ada Street resident, stated that she was assured by staff at a previous community meeting, that homes with residential zoning would not be involved in eminent domain, but that homes in mixed use zones may be affected. She believed that no homes should be involved in the redevelopment plan. Ms. Stovall added that the elderly and blind residents should not feel the risk of losing their homes as a result of eminent domain.

Carlos Fernandez spoke on behalf of his mother, stating that she does not want to leave her property. He added that the property was rezoned from rural to light industrial.

Monica Mendez spoke on behalf of her father and the residents of Jacqua Street, requesting that Council consider the request by the community to rezone to residential.

Bill Pack, a Dorothy Street resident, stated that he was not opposed to redevelopment, but he was against eminent domain, which he believed should be used only for public purposes, not for private development. He asked that Council table the issue of eminent domain.

Robin Griffith stated that she is the owner of commercial property in the area which is currently under constructing for a new restaurant. She requested that her parcel be exempt from eminent domain, as she has invested a great deal of money in the property.

James Vashon, a Jacqua Street resident, believed that eminent domain lowers property values. He stated that many people would loose their properties in order to beautify Chula Vista. He explained that it is the streets in the area that are blighted, not the homes, and that the City should work with the residents to beautify the blighted areas. He requested that the item be tabled in order to schedule a vote of the people to have a say on eminent domain. Mr. Vashon recommended that eminent domain not be extended.

PUBLIC HEARINGS (Continued)

A property owner on 1038 Broadway, requested that his property be exempt from eminent domain.

Rudy Ramirez, asked Council to be judicious and fair when exercising the awesome power of eminent domain. He requested that consideration be given to the people who have been long-time residents; that their homes are their identity.

Orlando Regala, a 45-year resident on Jacqua Street, presented pictures of his well maintained garden, and stated that there is no better place to live than at his present home.

Migel Diaz, representing his parents who live on Jacqua street, asked that Council direct staff to rezone the area back to a residential zone.

Loreto Romero, stated that he purchased a piece of property on Frontage and Dorothy approximately six years ago, without the knowledge of eminent domain. He expressed concern as to what will happen to his property. He stated that he has expended approximately \$120,000 in required street improvements for his property, and he believed that he would not be able to recover these costs, should he loose the property as a result of eminent domain.

Community Development Director Salomone, spoke to comments by both Ms. Griffith and Mr. Romero, stating that they may be exempt from eminent domain, through an Owner Participation Agreement with the City.

With no further members of the public wishing to speak, Chair/Mayor Horton closed the public hearing and continued the hearing to September 17, 2002, to consider options and to make a decision.

OTHER BUSINESS

5. DIRECTOR'S REPORTS

There were none.

6. CHAIR/MAYOR REPORTS

There were none.

7. AGENCY/COUNCIL COMMENTS

There were none.

ADJOURNMENT

At 8:10 p.m., Chair/Mayor Horton adjourned the meeting to a Regular Meeting of the Redevelopment Agency on September 17, 2002, at 6:00 p.m., immediately following the City Council meeting.

Susan Bigelow, CMC/AEE, City Clerk